

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DEMETRIUS GOHRE,

Plaintiff,

v.

Case No. 21-C-370

JOHN DOE,

Defendant.

DECISION AND ORDER

Plaintiff Demetrius Gohre is currently serving a state prison sentence at Columbia Correctional Institution and representing himself. On May 25, 2021, the Court screened the complaint and allowed Gohre to proceed on an excessive force claim against a John Doe defendant. The deadline to identify the Doe was August 2, 2021. Weeks after the deadline, on August 30, 2021, the Court dismissed the action based on Gohre's failure to identify the Doe or explain to the Court why he was unable to do so by the deadline. A couple of weeks later, on September 13, 2021, Gohre identified the Doe as A. Lezama. He explains that he had sent a letter to the clerk's office, but he later learned that Dodge Correctional Institution (where he was previously incarcerated) was not sending his mail. Gohre provides a copy of an inmate complaint that he submitted on August 15, 2021, raising his concerns about his outgoing mail.

The Court will construe Gohre's filing as a motion to reopen this action. Because Gohre has demonstrated good cause for his failure to identify the Doe by the deadline, the Court will grant his motion and reopen this action.

IT IS THEREFORE ORDERED that Gohre's motion to reopen this action (Dkt. No. 15) is **GRANTED**. The clerk's office is directed to reopen this action.

IT IS FURTHER ORDERED that A. Lezama is **SUBSTITUTED** for the John Doe placeholder and Sheriff Earnell Lucas is **DISMISSED**. The Court thanks Sheriff Lucas for his efforts in helping Gohre identify the John Doe.

IT IS FURTHER ORDERED that pursuant to the informal service agreement between Milwaukee County and this Court, copies of Gohre's complaint and this order are being electronically sent today to Milwaukee County for service on Deputy A. Lezama.

IT IS FURTHER ORDERED that, pursuant to the informal service agreement between Milwaukee County and this Court, Deputy A. Lezama shall file a responsive pleading to the complaint within **sixty days** of receiving electronic notice of this order.

IT IS FURTHER ORDERED that the parties may not begin discovery until after the Court enters a scheduling order setting deadlines for discovery and dispositive motions.

Dated at Green Bay, Wisconsin this 17th day of September, 2021.

s/ William C. Griesbach

William C. Griesbach
United States District Judge